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Ministry
of
Revenue

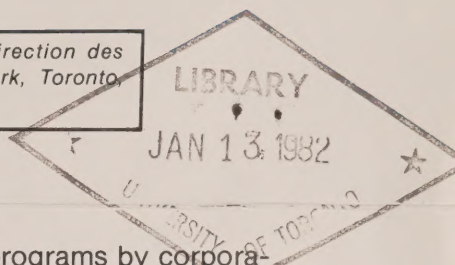
Government
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Tax Information Bulletin

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Ce bulletin est disponible en français sur demande à la Direction des services aux contribuables, Ministère du Revenu, Queen's Park, Toronto, Ontario M7A 1X8. Téléphone (416) 965-8470.



VOLUNTARY DISCLOSURE

Voluntary compliance with Ontario's tax laws and grant programs by corporations and individuals is a major contributing factor to the efficient administration of the Ontario Ministry of Revenue's statutory and fiscal responsibilities. The Ministry acknowledges the importance of voluntary disclosure by formally adopting a policy of not prosecuting individuals or corporations who voluntarily approach the Ministry to correct deficiencies in their past reporting or dealings with the Ministry.

POLICY

It is the policy of the Ontario Ministry of Revenue that any person, corporate or individual, who voluntarily discloses contravention of any section of the statutes administered by the Ministry of Revenue will be permitted to settle any liability that may have arisen as a result of that contravention, by payment of the liability, together with statutory interest and penalties. The Ministry will not prosecute such persons or seek to impose any civil penalties for gross negligence or wilful evasion. The identity of any individual or corporation making a voluntary disclosure will be held in confidence, as are all matters between the Ministry and those filing with it.

POLICY APPLICATION

This policy applies to corporations and individuals making voluntary disclosures if the following requirements are met:

1. **Voluntary.** The disclosure must be voluntary. It will not be considered voluntary if it appears to be motivated by the knowledge that the Ministry has started or indicated it will start an audit or investigation. In such an instance immunities set out in the policy will not be available.
2. **Disclosure.** Any corporation or individual making a voluntary disclosure is responsible for full and accurate reporting of all information relating to the disclosure. As well, the party making the disclosure will be responsible for any costs associated with preparing submissions, calculations, schedules and related information.

While the Ministry will acknowledge and accept without prejudice legitimate errors or omissions of a minor nature, significantly unexplained errors or omissions will be treated as further attempts to mislead the Ministry. Such occurrences will result in the withdrawal of the immunities provided by this policy.
3. **Verification.** Voluntary disclosures will be verified at the Ministry's discretion. Corporations or individuals making voluntary disclosures are expected to cooperate fully with Ministry staff by making all books of account, records and documents available upon request and by answering questions which may arise. Failure to cooperate may result in the loss of immunities provided by this policy.

4. **Payment.** The Ministry expects remittance of the total amount due upon disclosure. However, where justified, provisions for posting security and instalment payments may be allowed. Fulfilment of arranged repayment plans will be considered part of the disclosure procedure.
5. **Procedure.** A voluntary disclosure may be made by contacting the relevant branch of the Ministry of Revenue or by notifying the Special Investigations Branch, 16th Floor, 77 Bloor Street West, Toronto, M7A 1T3. Phone (416) 965-7767. Though a detailed submission is not required at this time, it is in the disclosing party's interest to contact the Ministry as soon as possible to discuss the matter.
6. **Intent.** The Ministry's goal is to reinforce the voluntary nature of tax and grant administration in Ontario. Any submission demonstrating the intent to voluntarily redress previous contravention of the statutes will be favorably received by the Ministry.

This is a policy of the Ontario Ministry of Revenue and will apply only to the statutes for which this Ministry is responsible.